

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

In the Matter of the Search of

*(Briefly describe the property to be searched
or identify the person by name and address)*Franklin County Sheriff's Property Bin #458
370 S. Front St.
Columbus, OH 43215

Case No.

2:19-mj-301

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:
Franklin County Sheriff's Office, Main Jail, Property Bin #458, at 370 S. Front St. Columbus, OH 43215, containing the property of inmate Rico Deshawn Head, Jr.

located in the Southern District of Ohio, there is now concealed *(identify the person or describe the property to be seized)*:

Red Ohio State Sweatshirt, pair of red shoes, cell phone

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 USC 1951	Hobbs Act - Interference with Interstate Commerce by Robbery
18 USC 924(c)(1)(A)	Brandish Firearm During a Crime of Violence

The application is based on these facts:

☒ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

B. V. Boesch TFO 6551
Applicant's signature

Task Force Officer Brian V. Boesch
Printed name and title

Sworn to before me and signed in my presence.

Date:

4-16-19

W. Vascara
Judge's signature

City and state: Columbus, OH

Magistrate Judge Chelsey M. Vascara
Printed name and title

I, Brian V. Boesch, a Task Force Officer (TFO) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), hereinafter the affiant, being duly sworn, states:

1. On March 26, 2019 at approximately 5:30pm, two male blacks entered the GameStop store, located at 3598 E. Main St. Whitehall, OH. The male black wearing a gray Ohio sweatshirt brandished a silver semi-automatic handgun and demanded cash from the register. As employee Shawn Leggett was retrieving the cash from the register, the second suspect, wearing a red Ohio State sweatshirt, approached two customers and took Christina Pellegrini's cell phone and told them not to move. The second suspect then took the other employee, Thomas Elliot, to the backroom where he selected three (3) game consoles. The first suspect obtained \$772 from the cash register and both fled the store on foot.
2. Whitehall Police Detective Anthony Lee McKittrick obtained copies of the surveillance video, which showed the unarmed suspect wearing a red hooded sweatshirt with the Ohio State logo on the chest and red tennis shoes with white soles.
3. On April 10, 2019, at approximately 5:56am, DiCIESARE called the Columbus Division of Police communications center and stated she wished to turn herself in for committing the above robbery. At 7:22am, DiCIESARE called back to check on the response time. At 7:53am, DiCIESARE was taken into custody and transported to the Whitehall Police Department.
4. At approximately 8:50am, Detective McKittrick and TFO Boesch conducted a custodial interview of DiCIESARE. Detective McKittrick advised DiCIESARE of her constitutional rights. DiCIESARE signed the rights form, acknowledging she was advised of her rights.
5. DiCIESARE stated that a friend rented her a white Toyota Camry so she could drive her girlfriend, a federal defendant, to Kentucky for drug rehabilitation. On the way, the suspect in the gray Ohio sweatshirt and he concocted the plan to rob the GameStop, since she now had transportation.
6. DiCIESARE stated they picked up a friend of the first suspect and then stopped by the residence of the first suspect to get the handgun. She then admitted they drove to the GameStop, where she went inside several times to see how many employees and customers were present. She also admitted to providing the second suspect with a t-shirt to conceal his face.
7. DiCIESARE described the second suspect with the red Ohio State sweatshirt as a male black that she knew as Rico. She stated Rico lives on the east side of Columbus. She tried to relate where Rico lives by stating his residence was off of

Livingston Ave., between Courtright Rd. and Hamilton Rd. DiCIESARE stated the first suspect, that went to Kentucky with her, contacted Rico via Facebook Messenger and informed him of the robbery idea. She described Rico as a male black, 5'8" to 5'10" with a medium build.

8. On April 11, 2019, Rico HEAD was arrested by Columbus Division of Police patrol officers after fleeing from a reported stolen vehicle. HEAD was arrested after a short foot pursuit. When apprehended, Sgt. John Hawkins stated HEAD was wearing a red Ohio State sweatshirt and red tennis shoes with white soles. Sgt. Hawkins also located a cell phone near the apprehension site. When Sgt. Hawkins picked up the phone, it illuminated and had a photo of HEAD on the lock screen. HEAD had active warrants for his arrest for Aggravated Robbery and Weapons Under Disability. HEAD also has an address on Astor Ave., which is off Livingston Ave. between Hamilton Rd. and Courtright Rd.
9. HEAD was arrested for the warrants and transported to the Franklin County Jail at 370 S. Front St. The red Ohio State sweatshirt, red shoes, and cell phone of HEAD's were stored at the jail in property bin #458. Sgt. Hawkins viewed a surveillance photo of the robbery and confirmed that the sweatshirt and shoes that HEAD was wearing when he was arrested match those worn by the unarmed suspect in the surveillance video of the Gamestop robbery.
10. Further investigation shows HEAD is Facebook friends with the son of DiCIESARE's roommate's husband's son, Kionnie Davis. Davis' brother, Darnell DAVIS, was referred to by DiCIESARE on a jail phone call after her arrest. DiCIESARE told her roommate to call Darnell DAVIS and tell him that she did not give up his name to investigators after her arrest.
11. Based on the above facts, TFO Boesch respectfully requests a search warrant of HEAD's property bin (#458) to recover the red Ohio State sweatshirt, red tennis shoes with white soles, and HEAD's cell phone. A subsequent warrant will be requested for the cell phone to determine if HEAD is indeed the second, unarmed suspect in the robbery.



Signature of Complainant

Task Force Officer (TFO) Brian V. Boesch

Sworn to before me and subscribed in my presence,

April 16, 2019, at Columbus, OH



Chelsey M. Vascara

United States Magistrate Judge, Southern District of Ohio